

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KH Capital, LLC,

23-Civ. -10099 (LAK) (RFT)

Plaintiff,

ORDER

-against-

Richard Cardinale, et al.

Defendants.

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ROBYN F. TARNOFSKY, United States Magistrate Judge:

Defendants' obligation to respond to the Complaint by March 8, 2024 (see ECF 13) is extended as follows:

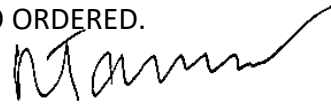
By **March 7, 2024**, the parties will file a letter updating the Court on whether they have stipulated that Plaintiff may file an Amended Complaint. If so, Plaintiff will file the Amended Complaint by **March 18, 2024**. By **March 29, 2024**, the parties will file a proposed agreement on the scope of discovery that may proceed pending resolution of Defendants' anticipated motion to dismiss or a statement of disputes about whether and to what extent discovery should proceed during that period. Defendants will file their motion to dismiss by **April 18, 2024**. Plaintiff's opposition is due by **May 16, 2024**, and Defendants' reply is due by **May 30, 2024**.

If the parties do not stipulate that Plaintiff may file an Amended Complaint, then by **March 18, 2024**, the parties will file a proposed agreement on the scope of discovery that may proceed pending resolution of Defendants' anticipated motion to dismiss or a statement of disputes about whether and to what extent discovery should proceed during that period. By

March 18, 2024, Defendants will file their anticipated motion to dismiss. Plaintiff's opposition is due by **April 18, 2024**, and Defendants' reply is due by **May 2, 2024**.

DATED: February 22, 2024
New York, New York

SO ORDERED.

A handwritten signature in black ink, appearing to read 'RTarnofsky', written over a horizontal line.

ROBYN F. TARNOFSKY
United States Magistrate Judge